



July 3, 2008

United States
Department of
Agriculture

SUBJECT: SFMNP Final Policy Memorandum #2008-3
Rebates from the Economic Stimulus Act of 2008

Food and
Nutrition
Service

TO: Regional Directors
Supplemental Food Programs
All Regions

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This policy memorandum contains guidance to Senior Farmers' Market Nutrition Program (SFMNP) State agencies regarding the Economic Stimulus Act of 2008 that provides rebates to many low and middle-income households. Specifically, section 101(d) of the Act states:

(d) Refunds Disregarded in the Administration of Federal Programs and Federally Assisted Programs – Any credit or refund allowed or made to any individual by reason of section 6428 of the Internal Revenue Code of 1986 (as amended by this section) or by reason of subsection (c) of this section **shall not be taken into account as income** and shall not be taken into account as resources for the month of receipt and the following 2 months, **for purposes of determining the eligibility of such individual or any other individual for benefits as assistance, or the amount or extent of benefits or assistance, under any Federal program** or under any State or local program financed in whole or in part with Federal Funds.

Essentially, the rebate checks made under the Economic Stimulus Act of 2008 are to be excluded from income when determining eligibility for the SFMNP. The reference in the Act to such payments as resources for the month of receipt and two months thereafter does not apply to SFMNP income eligibility determinations.

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The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.